

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

BENITO BOWIE, JR.,)	
)	
Plaintiff,)	
)	
vs.)	No. CIV-07-886-C
)	
LT. WARD, et al.,)	
)	
Defendants.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on the Report and Recommendation entered by United States Magistrate Judge Valerie K. Couch on December 9, 2010. The court file reflects that no party has objected to the Report and Recommendation within the time limits prescribed. Therefore, the Court adopts the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation of the Magistrate Judge (Dkt. No. 85) is adopted and Defendant Ward's "Motion for Order to Prohibit Plaintiff from Calling Witnesses at Trial or Introduce Any Exhibits at Trial or Dismissal of the Action" (Dkt. No. 70), "Motion in Limine to Restrict/Prevent/Prohibit Plaintiff from Calling Witnesses at Trial and to Restrict/Prevent/Prohibit the Introduction of Any Exhibits at Trial and to Grant as Sanction Dismissal of the Action" (Dkt. No. 76), and "Motion for Directed Ruling on Doc. 70 Defendant Lt. Ward's Motion for Order to Prohibit Plaintiff from Calling Witnesses at Trial or Introduce Any Exhibits at Trial or Dismissal of the Action" (Dkt. No. 84) are

granted. Plaintiff's civil rights action is dismissed without prejudice; however, if Plaintiff refiles the case, he will be required, as a precondition to proceeding, to reimburse Defendant Ward for any costs Defendant Ward incurred in pretrial preparations.

IT IS SO ORDERED this 27th day of January, 2011.



ROBIN J. CAUTHRON

United States District Judge